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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,412	03/12/2004	Tarek Radi	ALC 3120	5996
7590 KRAMER & AMADO, P.C. 1725 Duke Street, Suite 240 Alexandria, VA 22314			EXAMINER LAM, HENRY S	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 08/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/798,412

Applicant(s)

RADI ET AL.

Examiner

Henry Lam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) — | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12 March 2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

1. The drawings are objected to because Figures 1a, 1b and 1c lacks a descriptive legend for acronyms N11, ...N33, Na, Nb, NG1,...NG3, NMS, NTD, EMS, and IF1,... IF3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations

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indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121 (d)(1). Failure to timely submit the Proposed drawing and marked-up copy will result in the abandonment of the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al. (US 2003/0133556 A1).

For claims 1-27, Naik discloses a communication network provided with a NMS (para 0027, figure 1, block NETSMART) maintaining a network topology map

(para. 0209, line 4 & 5), and managing one or more EMS's (para 0027, figure 1, blocks NEs), each EMS maintaining a respective EMS topology map (para 0211, lines 1-6), a method of synchronizing the NMS map with an EMS map (para 1445, lines 1-4), comprising:

receiving at the NMS a user request for a hierarchy altering operation, the user request comprising topology change data (para. 0073, lines 1-18); verifying validity of the user request, and, whenever the user request is valid (para. 0099, line 1):

altering the NMS network map according to the topology change data in the user request (para 0162, line 1);

automatically sending, from the NMS to the EMS, a change request comprising the topology change data (para 0109, lines 1&2); and

updating the EMS map according to the change request (para 265, lines 1-9);

further comprising, sending an acknowledgement from the EMS to the NMS to inform the NMS than the EMS map has been updated (para 0242, lines 1-5);

wherein the topology change data refers to adding, upgrading, moving removing, and/or renaming a network entity (para 0251, line 1-9);

wherein the network entity is a node group, a network node, and/or a network element (para 0098, lines 1-4; and para 0163, lines 1&2);

further comprising providing an error message whenever the user request is invalid (para 0220, lines 1-5);

wherein the step of verifying validity of the request comprises checking the syntax and the completeness of the user request (para 346, lines 1-6);

wherein the step of verifying comprises checking a location identification data in the user request (para 0169);

wherein the location identification data provides the hierarchical location of a network entity to which the topology change data pertains (para 1236, lines 2-14);

wherein the error message specifies that the user request includes invalid characters (para 0220, lines 1-5);

wherein the error message specifies that the user request includes incorrect location identification data (para 0346, lines 1-6);

wherein the incorrect location identification data comprises an incorrect network entity name, an incorrect specification of network entities hierarchy and/or a missing name for a network entity (para 1073, lines 1-12);

further comprising, identifying at the NMS which EMS is affected by the user request, for selectively sending the change request to the affected EMS managing one or more affected network elements (para 0073, lines 1-18).

further comprising cyclically checking the state of the EMS, storing the change request whenever the EMS is temporarily in an 'off state', and providing the change request to the EMS when the EMS is back in an 'on state' (para 424, lines 1-9).

In a communication network provided with a NMS (para 0027, figure 1, block NETSMART) maintaining a network topology map (para. 209, line 4 & 5) and one or more EMS's (para 0027, figure 1, blocks NEs), each maintaining a respective EMS topology map (para 0211, lines 1-6), a method of synchronizing the NMS map with an EMS map (para 1445, lines 1-4), comprising:

receiving at the EMS a user request for a hierarchy altering operation, the user request comprising topology change data pertinent to a network entity (para.

0073, lines 1-18);

automatically sending, from the EMS to the NMS, a change request comprising topology change data (para 0109, lines 1&2);

at the NMS, verifying validity of the user request (para. 0099, line 1); and

altering the NMS network map according to the topology change data in the user request whenever the user request is valid (para 1093, lines 1-4);

wherein the EMS disables any subsequent user requests involving the topology change data from the EMS, for enabling user request pertinent to the network entity from one localized place (para 0073. lines 4-15).

A NMS (para 0027, figure 1, block NETSMART) for a communication network, comprising:

a network topology map comprising all network entities in the communication network and hierarchical information on location of the network entities (para 1560, lines 5-11);

a user interface for enabling the NMS to receive a user request comprising topology change data pertaining to a specified network entity (para 0146, lines 1&2);

means for verifying validity of the user request (para 0151, lines 1-4);

means for changing the NMS map according to the topology change data

whenever the user request is valid (para. 0099, line 1) ; and

means for generating from the user request a change request comprising the

topology change data and automatically sending the change request to an EMS affected by the user request (para 0109, lines 1&2);

wherein the hierarchical information on location of the network entities provides a location of a network element in the entire network, in a node group and/or in a network node (para 0073, lines 4-11);

wherein the NMS map is stored in a NMS database (para 346, lines 1-3);

further comprising means for identifying the EMS affected by the user request (para 1494, lines 3-8);

wherein the means for verifying validity of the user request comprises a set of EMS specific rules and limitations (para 0250, line 1; para 252, line 1; para 253, line 1; and para 255, lines 1-4);

wherein the means for verifying comprises a list of syntax errors, invalid characters, and empty node group names (para 346, lines 1-6).

In a communication network provided with a NMS (para 0027, figure 1, block NETSMART) maintaining a network topology map (para. 0209, line 4 & 5) with all network entities in the communication network and with hierarchical information on location of the network entities, an EMS monitored and controlled by the NMS (para 1560, lines 5-11), comprising:

an EMS topology map including a subset of network entities and hierarchical information on location of the network entities in the subset (para 1560, lines 11-15);

means for receiving from the NMS a change request comprising topology change data (para 273, lines 1-8); and

means for changing the EMS map according to the topology change data (para 273, lines 1-8);

further comprising a user interface for enabling the EMS to receive a user request comprising the topology change data pertaining to a specified network entity in the subset of network entities (para 202, lines 1-5);

further comprising means for automatically sending the user request to NMS (para 0109, lines 1&2);

further comprising means for disabling any subsequent user requests involving the topology change data from the EMS, for enabling user request pertinent to the network entity from one localized place;

further comprising means for cyclically checking the state of the EMS, storing the change request whenever the EMS is temporarily in an 'off state', and providing the change request to the EMS when the EMS is back in an 'on state' (para 424, lines 1-9).

In a communication network provided with a NMS (para 0027, figure 1, block NETSMART) maintaining a network topology map (para. 209, line 4 & 5) and managing a plurality of EMS's (para 0027, figure 1, blocks NEs), each maintaining a respective EMS topology map (para 0211, lines 1-6), a method of resynchronizing the EMS topology maps with the network topology map (para 1445, lines 1-4), comprising:

receiving at the NMS a user request for a resynchronization of the network topology map with the EMS topology maps (para 0273, lines 1-2);

identifying all EMS's affected by the request (para 0025, lines 3-9);

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automatically sending, from the NMS to each of the EMS's affected by the request, updating topology data relevant to the affected EMS (para 0273, lines 2-8); and

updating each the EMS topology maps of each the affected EMS according to the updating topology data (para 0273, lines 2-8).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

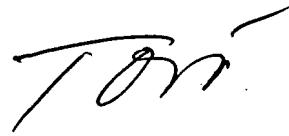
Sundaram et al. (US 6,564,341 B1) and **Elliott et al** (US 2002/0064149 A1) are all cited to show systems which are considered pertinent to the claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Lam whose telephone number is (571) 270-3122. The examiner can normally be reached on Monday through Thursday 8:00AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dang Ton can be reached on (571) 272-3171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Dang T. Ton', with a stylized flourish at the end.

DANG T. TON
SUPERVISORY PATENT EXAMINER

HL